

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: 936-002

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Stated

Country of Origin: Not Stated

Language: Not Applicable

Applicant: Commissioner of Police

Distributor: Not Applicable

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive Note: Not Applicable

Display Conditions: Nil

Date of entry in Register: 27 September 2007

Date of direction to issue a label: Not Applicable

OFLC No: 702020

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file entitled *936-002* is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a computer image file comprising a photo of two young men on a bed. One is naked, the other is touching the first man's genitals with a pump. The image has been considered in terms of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 as to whether it promotes or supports, or tends to promote or support, the exploitation of children or young persons for sexual purposes. While the men in the image are youthful in appearance they do not present as being young persons.

In classifying the publication weighting has been given to the explicit nature of the image, which is designed for the sexual arousal of adults and could either be disturbing to children or young persons, or have a harmful effect upon the forming of their sexual attitudes and behaviour. An age restriction of 18 years will interfere with the freedom of expression as set out in Section 14 of the New Zealand Bill of Rights Act 1990. This limitation is demonstrably justified, however, given the likely injury to the public good from the publication's potential to adversely affect children or young persons.